



S P E E C H

OF

HON. JAS. H. CAMPBELL, OF PA.,

ON

THE STATE OF THE UNION,

DELIVERED IN THE

THE HOUSE OF REPRESENTATIVES, FEBRUARY 14, 1861.

The House having under consideration the report of the select committee of thirty-three—

Mr. CAMPBELL said :

Mr. SPEAKER : It was officially announced yesterday in this Hall that Abraham Lincoln, a worthy, patriotic, and intelligent citizen of the State of Illinois, had been elected President of the United States of America, according to the forms and requirements of the Constitution, and laws made in pursuance thereof.

Absolute submission to the results of elections has been the homage which the American people periodically offered to their institutions. Whatever diversity of sentiment or partisan zeal may have marked the canvass, unanimous obedience has, with patriotic ardor, waited upon the decisions of the ballot-box. By a graceful acquiescence in the voice of the majority, my countrymen have been proud to prove their capacity for self-government. The now dominant party of the free States have for more than a quarter of a century submitted to the governmental policy of the slave States, although greatly superior to them in population, not because it was submission, but obedience to the laws of the land.

The election of Mr. Lincoln carries with it the full force of constitutional precedent and popular conviction. Yet that habitual and historic obedience is now for the first time refused by a portion of the people—a refusal as deplorable as amazing. We hear the bold avowal that the inauguration of the President elect will be resisted, and that he will not be permitted to take his post at the head of the Government ; or at least shall have but a divided rule, unless ample and satisfactory concessions to a portion of the Confederacy shall first be made. It has been proposed by the leaders and participators in this treasonable conspiracy, to resist the inauguration by force of arms, to seize the federal capital, to precipitate revolution in the border and intermediate States, to break up the Government, and to plunge a great and prosperous people into all the horrors of civil war. To carry out these destructive purposes, the most subtle and extended combination has been formed. Embracing many of the leading Senators and dignitaries of the Gulf States, it has drawn within its fatal vortex chiefs of the Cabinet ; has paralyzed the President, and has its friends and ramifications in the cities of the North. Six States claim to have detached themselves from the Union irrevocably, and in defiance of section ten article one of the Constitution, which declares, “no State shall enter into any confederation,” have proceeded to form a hostile confederation within the limits and jurisdiction of the United States.

Without pausing for redress, if injury has been inflicted, or fearing that remedy might be applied if opportunity were given ; without the suffrages of the people, or against well ascertained popular majorities in some instances, recklessly have they struck a blow at the best Government in the world, as well as inflicted an irreparable injury upon themselves. This combination against constituted authority embraces two classes of men, the

one giving aid and comfort to the other, acting for the time being in concert, but with different objects in view, namely: the secesionists *per se*, and those who are termed reconciliationists. Both claim the Union has been, or must be destroyed; the former finally so; while the latter indulge in the philanthropic hope of reconstructing it on Democratic proslavery principles—from disinterested motives, of course! Intent upon different objects now, what they will be hereafter we must leave time to determine. Sufficient for us to know, that both stand in a position hostile to the inviolability of the Union. The former are pre-eminent for boldness in treason; the latter for baseness of partizan warfare, at a time when the temple of liberty is rocked to its foundations. *Reconstruction* implies previous *destruction*; and any party, or combination of men, that propose to destroy the American Union, must and will fail. Our inheritance is indivisible. The Union has not been and cannot be dissolved. Its fibrous interlacings of interests cannot be sundered. Heroic deeds, revolutionary reminiscences, commercial relations, domestic relations, the continuity of a boundless coast, immense rivers, mountain chains, iron bands, are our common property; one national anthem our inspiration, one flag our symbol! “Those whom God hath joined together let not man put asunder.”

No, sir; I hold it next to treason, at a time like this, to claim that the Union of our fathers is dissolved. Every true man, every native and adopted citizen, should rally around her altar and swear to maintain the Union, without reservation, in all peril, and in every contingency. A Government that has claimed the respect of mankind, and which rests as light as gossamer upon the governed, giving to all the most perfect security, as well as the largest liberty within the limits of constitutional order, is worth every sacrifice consistent with vital principle to maintain.

Let every effort be made to preserve our nationality intact—every star upon our flag, every acre within our limits. Let all Union-loving and patriotic men unite heart and soul for this grand object. Let all our energies be directed to the peaceable solution of present difficulties. But this must be done without the sacrifice of those principles on which the hopes of mankind depend, and on which free government is based. These we could not surrender if we would, and would not if we could. I will not despair so long as one ray of light glimmers along the political horizon. But if all effort at reconciliation shall prove unavailing, then loyal citizens everywhere, in all sections of the country, must look the danger in the face and meet it as becomes men.

But I proceed to inquire what cause have the enemies of the Union to object to the peaceable and ordinary inauguration of the President elect? He was selected by his fellow-citizens from pure motives, and as a just exponent of their views of public policy. That a change was necessary in the administration of the affairs of the country, all impartial men admit, after the fatal and overwhelming disasters of the last few months.

What new idea does Mr. Lincoln propose to adopt in the administration of the Government? What new policy to inaugurate? Must he not take care that the laws be faithfully executed and the Government sustained? On the question of opposition to the extension of slavery in the Territories, stands he not where Washington, Franklin, Jefferson, and all their great compeers stood? On the doctrine of adequate protection to American labor and productions, we find him side by side with Clay and Jackson. On all those questions that relate to the general improvement of the country, Mr. Lincoln moves in harmony with the leading minds of the age. Faithful and patriotic in the past, we have the right to expect the same in the future. What cause have misguided men to oppose the installment of the newly-elected President? Why should it be deemed necessary that the choice of the people should purchase his way to the presidential chair by grants of rights to disappointed and rebellious men? Why do not the South and the North accord to him what has been accorded to others? Have the opponents of the Republican party been so long in office that they have forgotten their obedience to the laws? Candidates for President and Vice President have been elected before from the same section of the country, and have quietly assumed the duties of their respective offices. Presidents have been elected before by a plurality, and not a majority, of all the votes cast, and no man has raised his voice against the constitutionality of such an election. The issues were plain, the vote overwhelming, and the result decided.

But, it is said, the southern mind regards the election of Mr. Lincoln as a distinct declaration, on the part of the dominant party, that slavery shall be ultimately extinguished in the slave States. This calumny should be corrected by those who promulgated it. It has no foundation in fact. It is against the declarations, votes, platforms, and positions of the Republican party. The only persons in the country who inculcate this doctrine act in open opposition to the dominant party, and now rejoice in the probable overthrow of the Republic, in order that they may carry out their abolition schemes. The political antagonists of the Abolitionists are the Republicans. The aiders and abettors of abolitionism are those who seek to destroy the Union.

Sir, I claim, in its most broad, full, and comprehensive sense—claim it for the honor,

safety, and future of my country—that the President elect has the right: nay, more than this, that the *people* of the country have the right, without regard to party, or section, to have the man of their lawful choice fully inaugurated at the capital, with all the usual forms and ceremonies, without terms, without negotiation, without compromise, and without apology. I give no reason but that he is the President elect: and, in the name and majesty of the American people, I demand the right for the people.

Would you establish the baneful precedent of negotiation before inauguration? Sir, I claim inauguration before negotiation: the clear acknowledgment of the right first: the terms of adjustment afterwards. Whatever terms I may be disposed to make with loyal men everywhere, I will not make terms with those who stand in hostile array to the Government, no matter what the consequences may be. Let these men first surrender the public property, restore the hospitals, navy-yards, forts, arms, treasure, and arsenals, and acknowledge the supremacy of the laws. Then, when order shall be restored, and an outraged nationality vindicated, I would hear their complaints, and give them the full measure of redress for any actual grievance. So far, at least, as contumacious persons are concerned, the following sentiments, attributed to Mr. Lincoln, apply in full force:

"I will suffer death before I will consent, or advise my friends to consent, to any concession or compromise which looks like buying the privilege of taking possession of the Government, to which we have a constitutional right; because, whatever I might think of the merits of the various propositions before Congress, I should regard any concession in the face of menace as the destruction of the Government itself, and a consent on all hands that our system shall be brought down to a level with the existing disorganized state of affairs in Mexico. But this thing will hereafter be, as it is now, in the hands of the people; and if they desire to call a convention to remove any grievances complained of, or to give new guarantees for the permanence of vested rights, it is not mine to oppose."

Any other course will destroy the respect in which the Government is held at home and abroad. If the representatives of the people submit to menaces and threats, such submission is moral, political, and national death. The nation could never recover from it. It would invite attack from abroad, and grant license to rebellion at home. The plain path of duty in this crisis is the path of safety and dignity and patriotism. Let us insist that the honor of our flag shall be maintained—a flag which is known and honored in every land; a flag under which our new-found world marched to greatness in a single generation. It is a pioneer before whom the wilderness recedes; a magician by whose transmutations the trees of the forest still point heavenward as the spires of the city; a guardian beneath whose care happy homes nestle, wide-spread valleys laugh with plenteousness, teeming mountains yield their treasures, and vast waters float the argosies of States. Abroad, as at home, wide waves the banner of enterprise and empire. In the thronging marts of the Old World, on the newly-opened paths of Pacific seas, sheltering the commerce of a continent beneath its folds; in the despotic capitals of Europe, it interposes a protecting ægis between the American citizen and the potentate who would oppress him. In the classic ports of the Mediterranean, it proclaims a wondrous Republic, mighty as old Rome, rich as Ind, vast as Europe, and peaceful as Paradise. It flashes like an aurora through the glacial pinnacles of Arctic seas, and answers the vivid constellations of the tropics with its kindling stars! Omiscient symbol of an almost omnipotent people! in thy wanderings far and wide, by sea and land, amid the despotisms of old worlds and the license of new, could none be found to assail thee save thine own? It was reserved for those who have grown to greatness beneath the waving of thy prosperous folds to smite thee. Are there none in this hour of peril to defend? Banner! of which all christendom is so proud that it forgets to envy, float calm and inscrutable upon the airs of heaven, and "*live thy time.*"

Sir, I have heard much of late of State rights and State sovereignty. The national Government is assumed to be a mere agent, and a very decrepit agent, with far less power than the old Confederation. From the declamation of gentlemen, one would suppose it to be an abstraction, a grand Yankee improvement upon the "circumlocution office"—a "how not to do it" revised and perfected. But remembering, sir, the past history of my country, I am encouraged to think better of her system, and to repudiate the idea which the arguments advanced and the events conspiring around us would seem to sustain. The best government, badly administered, is crippled in its action. A ponderous battle-axe, in hands too weak to wield it, becomes less effective than a child's bauble. Without an Executive, or worse than without an Executive, we have been drifting about among the rocks and shoals, with high seas thundering on a lee shore; every soul on board anxiously inquiring, where is the pilot? We will find one presently; but in the mean time let us observe that this United States Government of ours is a nationality of the people—a grand, powerful Government of *men*, not *States*, extending from the Rio Grande to the St. Croix. It was formed by the people, who are supreme. They surrendered to the Government, from the abundance of their sovereignty, all the grants of right or power enumerated in the Constitution, as well as of necessity all requisite to the enjoyment or exercise of the express grants. Within this limit, the United States Government is supreme, and so ex-

pressly declared to be in the charter itself. Between the United States and the several States there can be no conflict of authority so long as each revolves in its appropriate sphere. Each is supreme within its limits. Neither has authority beyond. The heresy that a State has a right to secede or withdraw from the Union at pleasure has no authority or foundation. All theories, as all practice, of all governments is against it. Such a heresy, striking at the root of all organization, cannot make an impression on the minds of reasoning men.

It was an evil day for our beloved country when a weak old man proclaimed to the nations of the earth, through the instrumentality of an important State paper, that this mighty Government—this giant Republic—the very incarnation of power—feared and respected by civilized and barbarous nations—had no power to save itself from annihilation. No power to quell rebellion! What a commentary upon the work of our revered fathers! That in the construction of a Government to take the place of a Confederation, expressly declared to be perpetual, they should have neglected that which was essential to its very life, must strike reflecting minds as an absurdity. No right on the part of a State to secede; secession, rebellion; and no power to suppress rebellion; (for this is the logic of this remarkable paper.) That which no law punishes is justified, and the public mind declines from toleration to demoralization. Tacitus saith, of another age and people, "such was the state of their minds that the worst villainy a few dared, more approved of it, and all tolerated." Alas! that the language of the ancient historian should describe the condition of our country in this better age.

Can it be wondered that the diplomats of St. James rubbed their astonished eyes as the might of the western world dissolved before them like a mirage, and Europe saw dismayed this serene mountain of refuge, quaking with the throes of eruption, such as convulse volcanic France, or heaving Italy? Sir, I trust in the providence of God we shall hear a more reliable opinion, respecting the powers of this Government, on the 4th of March next.

This commotion in the land has this breadth, and no more. A portion of the people of some of the States are in rebellion against the General Government. They have gone so far in their insanity as to levy war against the United States. They have set up organizations within, and hostile to, the United States. They have seized the public property, fired upon a steamer chartered by the Government, and have besieged the gallant Anderson in his sea-girt fortress. And now, in view of all this, what do we propose to do? The question is between the loyal citizens and the disloyal citizens; between a lawful Government and an armed rebellion. If not speedily adjusted, one or the other must perish. It will be a question of time. They cannot exist together within the same territory. The Constitution provides no way in which this Government can be dismembered, and if we had the power, no more improvident or disastrous step could be taken. The results of a peaceable separation would be standing armies, a long border bristling with bayonets, forts, and custom houses. Conflicts, growing out of complications about trade, customs, treaties, and the mouth of the Mississippi would be interminable until our miserable condition would excite the pity, as well as the contempt of mankind. One thing is clear as a ray of Heaven's pure light: there is no safety in the present, no hope in the future, but to stand by the Union as our fathers made it. In speaking of secession in 1850, in his letter dated October 3, of that year, addressed to Hon. Daniel Ullman, what said the patriot Henry Clay?

"Suppose the standard should be raised of open resistance to the Union, the Constitution, and laws; what is to be done? There can be but one possible answer. The power, the authority, and the dignity of the Government ought to be maintained, and resistance put down at all hazard. The duty of executing the laws and suppressing insurrections is without limitation or qualification; it is coextensive with the jurisdiction of the United States. No human government can exist without the power of applying force, and the actual application of it in extreme cases. My belief is, that if it should be applied to South Carolina, in the event of her secession, she would be speedily reduced to obedience, and the Union, instead of being weakened, would acquire additional strength."

It was the same illustrious man who said, in the Senate, in 1850:

"Now, Mr. President, I stand here in my place, meaning to be unawed by any threats, whether they come from individuals or from States. I should deplore as much as any man, living or dead, that arms should be raised against the authority of the Union, either by individuals or by States. But, after all that has occurred, if any one State, or a portion of the people of any one State, choose to place themselves in military array against the Government of the Union, I am for trying the strength of the Government. I am for ascertaining whether we have a government or not—practical, efficient, capable of maintaining its authority, and of upholding the powers and interests which belong to a government. Nor, sir, am I to be alarmed or dissuaded from any such course by intimations of the spilling of blood. If blood is to be spilt, by whose fault is it? Upon the supposition, I maintain it will be the fault of those who choose to raise the standard of disunion, and endeavor to prostrate this Government; and, sir, when that is done, so long as it pleases God to give me a voice to express my sentiments, or an arm, weak and enfeebled as it may be by age, that voice and that arm will be on the side of my country, for the support of the general authority, and for the maintenance of the powers of this Union."

I care not what term may be applied to the preservation of the Union and the enforcement of the laws. If to do this means "coercion," then I am for coercion. I take all the responsibility of saying here in my place, as a representative of the people, all the respon-

sibility that attaches to the sentiment; that the laws should be enforced, by sea and by land, with all the power necessary; and that loyal citizens should be sustained and protected everywhere. Can we do less? In all these seceding States there are men true to their allegiance to the General Government. Revolution for the moment has rolled over them, and an armed force has silenced the voice of patriotism. Presently, when despotism—the despotism of a mob; the worst on God's footstool—becomes insufferable, they will cry to us for help. Shall we leave them to perish? They have rendered allegiance to the Union; and, by every tie of sacred duty, honor, and humanity, we are bound to render them protection. *Any other course would sink the Government to perdition.* Shall we stand idly by when our faithful custom-house officers, postmasters, pilots, and other officers are arrested, thrown into prison, or made to suffer pains or penalties for the honest discharge of sworn duties? Shall we refuse to protect adopted citizens who, having renounced allegiance to foreign potentates and sovereigns, have taken an oath of fealty to our Government? Allegiance entitles them to protection. Shall this Government, which but lately extended its scepter across the seas, to shelter here and there an humble man from the armed might of France, or the crowned majesty of Austria, when he invoked its aid by the cry, “I am an American citizen!” on its own soil—shall its ear be deaf to the chorus of its children's cries; its arm shortened, and impotent to aid? Surely, the Government that refuses, is faithless to its trust. If it refuses to protect its loyal citizens from persecution, confiscation, and death, it does not deserve the name of government.

If the Executive had promptly used his authority in the present instance, this rebellion, which has now assumed formidable proportions, would have been checked or adjusted before the present moment. This, history will record. That it was not done, is now a world-wide regret.

Mr. Speaker, in my judgment, all the complaints of all the sections can be adjusted within the Union without the sacrifice of any principle of essential importance to the welfare of the country, and without the terrible alternative of civil war. I am unwilling to believe that, in this stage of the world's progress, the differences of opinion between sections of our enlightened nation cannot be arranged without an appeal to arms. I trust they can be; and shall continue to labor to that end until all hope departs. While advocating the necessity of rebuking *treason* with the voice of authority, I am in favor of reassuring *loyalty* with such conciliation as would be right and proper under existing circumstances. For the sake of Maryland, still true, though between the upper and the nether millstone; for gallant old Kentucky, with the stars and stripes flying at every cross roads; for Tennessee, with the roar of her grand majority for the Union thundering in the ears of secession; and even for Georgia, with almost half her convention wrestling for the Union; and Alabama, now lifting her voice in indignant protest against the error of her sons. These States, and others, amid the besetments of disaffection, display a love for the Union that entitles them to sympathy and honor; and for their sakes we should be willing to make such an adjustment as can be made without the abandonment of principle. In this spirit I shall proceed to the consideration of such propositions as have been submitted to the House.

I come now to speak briefly of the prominent difficulty in the way of adjustment, and that is the territorial question. The South demand what they are pleased to term protection to slave property in the Territories of the United States, as well as in all territory hereafter to be acquired. The freemen of the North consider it of vital importance to prevent the extension of slavery over territory now free. And they cannot believe that the extension, protection, and perpetuation of African slavery would be beneficial to the country or advance the civilization of the people. Much less will they consent to change the Constitution of the United States so that slavery shall predominate over freedom. On this point it seems to be the settled conviction of the country that we had better leave the Constitution as it is.

Prominent among measures for the adjustment of our present difficulties stands the Crittenden compromise. More fortunate in its baptism than its conception, this defective measure bears a faultless title. The name of one held in affectionate regard, and whom the people delight to honor, introduces it auspiciously to the consideration of that people; and the lessons of the revered who are no more—a Webster of the North and a Clay of the South—have taught the people to respect a compromise. But, Mr. Speaker, paradoxical as it may sound, the Crittenden compromise is not a compromise, and it does not embody the views of Mr. CRITTENDEN. Looking further, I find a third objection in the fact that it does not represent the sentiments of the people; and these three objections I shall treat in a group before proceeding to others of a graver character.

I am bold to say that the resolutions do not express the sentiments of the people, North or South, because, in another form, and under another name, the prominent idea which they embody was presented to the people for their sanction, and rejected by an overwhelming majority. It was first offered under the name of the “Breckinridge platform,” to a convention of that party most favorable to slavery extension and protection, at Charleston,

and rejected by a majority of that convention. It was again brought before a Democratic convention at Baltimore, and again rejected. (Let us bear in mind that the rejection of this platform carried with it the inevitable destruction of a powerful party, long subservient to slavery, and one which has never looked upon defeat, with loss of place and spoils, with any degree of complacency, in order to form a just estimate of the consequences of that rejection.) But the undaunted friends of the measure, separating from the frowning majority of their party, forming a fragmentary convention, and embodying their principle in the nomination of John C. Breckinridge, placed it before the people. That people, in one of the most severe political campaigns this country has ever witnessed, with the threat of secession placed directly before them, overwhelmed it with popular condemnation by a majority of almost three million votes: 1,857,610 Republicans denounced it by voting for Abraham Lincoln; 1,362,976 Democrats rejected it when they gave their suffrages for Stephen A. Douglas; and 590,631 Americans condemned it when, raising the battle-cry of "the Union and the Constitution," they struck at the foes who would dissolve the one, or tamper with the other.

Virginia, who had always voted for a Democratic President, withheld her suffrages from both the Democratic candidates, and casting her vote for John Bell, testified her attachment to the Constitution as it is; and Kentucky, the home of the venerable Senator, by the same vote, rebuked this monstrous claim.

This sentiment, then, of the Breckinridge platform, repugnant to the American people; rejected by twenty-two States: trampled in the dust of defeat at a popular election, is carefully disinterred from the overwhelming majorities beneath which it was crushed. Its shapeless remains are composed to new and decent form in the Crittenden resolutions, and its faithful friends, and devoted mourners, demand for it an apotheosis in the Constitution. That which the people have solemnly pronounced unworthy of support, even in the ephemeral form of a political platform, it is now gravely proposed to incorporate in the Constitution, where you and I may no longer vote upon and reject it, but must swear fealty to and support! where rising generations, with the generous enthusiasm of youth for the institutions of their beloved land, must do it reverence; where your sons, and mine, must bring the royalty we have taught them, and abase it to uphold the wrong. And this is called a compromise! A compromise is where conflicting parties relinquish, each the extreme of its position, to meet the other upon middle ground. Here the extreme views of extreme pro-slavery men are advocated—*slavery in the Territories:—to be protected by Congress*;—this right of protection to be inserted in the Constitution; this amendment of the Constitution to be secured from future alteration: and the whole to apply, not only to our present possessions, but all which we may hereafter acquire! It is all here! Not one jot or tittle abated. The old enemy, with which we have wrestled for years, is presented to us in all its unshorn proportions, under the seductive cognomen of compromise! Entertain him, and we are compromised indeed! Is there anything more that has been, or will be, asked of us? If so, let it, by all means, be incorporated in the "resolutions."

I have shown that the resolutions do not express the views of the people; and I have said that they do not represent the Senator's own. If Mr. CRITTENDEN had ever entertained them, we should have found him too just and too generous an adversary ever to have presented them to us as a compromise. It is because they are not his own views or wishes that he offers and advocates them; feeling a self-abnegating zeal in sacrificing on the altar of peace, the convictions of his own statesman-like mind, and the desires of his own heart. His whole career—every act of his public life—bears witness that the resolutions are repugnant to the Senator himself. That career, that life, have won for him the confidence of a people, and impart a prestige to these resolutions which their merits cannot claim. His reputation gilds them with a lustre not their own.

But, Mr. Speaker, I summon a statesman from Kentucky, now silent, but potential, or antagonise the resolutions of the Senator from Kentucky: who dead, has more power than the living: whose voice, always raised to save his countrymen from dishonor, uttered these celebrated words:

"And now, sir, coming from a slave State, as I do, I owe it to myself, I owe it to truth, I owe it to the subject, to say that no earthly power could induce me to vote for a specific measure for the introduction of slavery where it had not before existed, neither south or north of that line. Coming, as I do, from a slave State, it is my solemn, deliberate, and well-matured determination, that no power—no earthly power—shall compel me to vote for the positive introduction of slavery either south or north of that line."

In my second group of objections, I would urge that this measure is: first, despotic; second, aggressive, and third, destructive of the Constitution itself.

Despotic, in the proposed subversion of the prerogatives of the people; aggressive, in assuming to legislate for countries now under the control of other governments: and destructive of the Constitution itself, in the blow struck at the equality of rights guaranteed by that instrument.

It is proposed that "in all of the territory of the United States now held, or here-

after acquired," south of 36° 30', "African slavery is hereby recognized as existing, and shall not be interfered with by Congress, but shall be *protected as property* by all the departments of the territorial government during its continuance." It is to be "recognized as existing," whether in fact it shall exist or not. The people of the Territories may be averse to it; but they shall be without a remedy. The people of the United States may disapprove of it; but their Congress shall be powerless. The Territorial Legislature may be opposed to it from policy or principle; but shall be constrained to vote, in defiance of principle and policy, to propagate and sustain that which is repugnant to its convictions. Most likely, to understand the interests of the domain to which it pertains, its own understanding shall be silenced; and, in obedience to the rule dictated from these distant halls, it is obliged to protect slavery in the Territory—against what? Against the honest action of its own untrammelled judgment; against the struggles of a helpless people hostile to the institution thus relentlessly imposed upon them. What is this but despotism? Despotism in a land where the voice of the people has been omnipotent as the voice of God! And wherefore this infringement upon popular rights? or wherefore this destruction of established policy? That the repugnance of the people may wear away under the inevitable influence of custom, association, and interest, until from the territorial forcing house may be transplanted a new slave State or States, to preserve the ascendancy of slavery over freedom in the Confederation.

This amendment to the Constitution, then, with a sublime indifference to the wishes or interests of a people, aims at the nobler end of the preservation of a party. Sir, what is all this but machinery to force the institution of slavery upon free men? Methinks, the effort to compel the people of a Territory to accept the Lecompton constitution should have taught us wisdom. I do not propose to become a party to the renewed attempt.

While that portion of article first of Mr. CRITTENDEN'S proposition, which relates to Territories now held by the United States seems to me to be despotic, the paragraph which points to all which shall be "hereafter acquired" is *aggressive*. While willing to legislate for all the Territory of the United States, Mr. Speaker, I naturally feel a modest hesitation in making laws for Cuba, Mexico, South America, mountains of the moon, or any other visionary, probable or improbable, possessions, comprehended under a term so vague. The localities I have mentioned are not only not under the jurisdiction of the United States, but are actually held by other Governments, who might with justice resent this intrusion of covetous filibusterism. Such an ideal style of legislation would seem to be not only unstatesmanlike, but unprincipled. The antecedent legislation which is thus proposed will hardly suffice to change the laws of Central America or Cuba, should we hereafter, by any possibility, negotiate for the possession of those interesting localities; and if they become ours by a less ceremonious process, I hope our own Constitution will not testify to a *premeditated* theft.

Article six, of the resolutions, provides that no future amendment of the Constitution shall affect the five preceding articles; nor the third paragraph, of the section of the fourth article of the Constitution. When our fathers framed the Constitution, they anticipated that the exigencies of a progressive people would demand modifications of that instrument. With provident forethought, they indicated the manner in which such amendments should be made. Entering by the door left open for them, these amendments propose to close that door forever, and entrench themselves, as in a fortress, against the besieging necessities of after times. No future amendment shall affect them! And why do they claim to be more sacred than the Constitution itself? Why is one clause of that Constitution elevated above its peers, to share the inviolable sanctity of these modern amendments? Because they single out, as the object of their peculiar care, *one* of the multifarious interests of the land. Without pausing to examine the merits of that interest which has inspired a devotion that surpasses patriotism; that interest to which Senators and Cabinets have transferred the fealty due to their country; that interest which is presented to the Constitution for such partial care—I proceed to question the right to make an amendment which when made, will be in direct conflict with the instrument itself, and destructive to its spirit, meaning, balance, and equality. The resolutions say that certain of them, and a certain portion of the Constitution, shall never be amended. The Constitution says that all its articles may be amended. Did it contemplate the introduction of any amendment to destroy the power to amend? Shall the Constitution read, "all the articles may be amended, provided some of the articles shall never be amended?" Sir, I claim that such an amendment would be in direct antagonism with a fundamental principle on which the instrument was framed—the *equal protection from violability of all the interests secured by it*. I urge that, when these resolutions propose to stand unalterably forever, athwart the track of an advancing people, the *spirit* of the Constitution itself interposes to protect the centuries of the *future* from these shackles which the *present* labors to forge.

Slavery is to have especial protection in the charter of our liberties. It is to be deified in an instrument in which the fathers refused it a recognition as such. But, if entrenched

in the Constitution as property, with protection above and beyond all other property, will it not follow, or will it not be claimed, that it will be entitled to protection everywhere, not only in the Territories, but on the high seas, under our flag, as well as in the free States of this Union?

As was shown by the distinguished gentleman from Maryland, the people will never ratify the idea of extending slavery to free soil. It is impossible to procure for these resolutions, two-thirds of this body, or even a bare majority. It is impossible to obtain a like majority in the other branch; and three-fourths of the States would never adopt them. Let all friends of the Union abandon them as a useless impossibility, now and forever. Pause, gentlemen of the American Congress, pause, before you ask of men as free as yourselves, so impossible a surrender of sacred convictions.

Mr. Speaker, I shall now briefly—for the time allotted to me will not admit of extended discussion—refer to the measures of adjustment reported by the committee of thirty-three. These propositions, or at least several of them, have been responded to by the country, and I believe will be sustained by a majority of this House, as most equitable and reasonable in themselves. Among the resolutions reported, is one in relation to personal liberty bills, so called. It is said that some northern States have adopted measures for the purpose of preventing the arrest and surrender of fugitives from labor. Although this objection is a mere pretext for disorder in the Gulf States, inasmuch as they seldom or never lose a fugitive by reason of obstructive legislation, yet, good faith requires that any enactment of the character indicated should be promptly repealed. Not because anybody demands it, but because it is right in itself. The committee have reported a resolution for that purpose, and I trust it will be adopted. They have also reported an amended fugitive slave law, which, inasmuch as it gives a right of trial by jury, under certain circumstances, to the alleged fugitive; and provides for his return to the place from whence it is claimed he escaped, as well as other wholesome provisions, is an improvement on the present law, and well worthy of consideration.

The disposition of the territory of the United States south of 36° 30' was and is the main subject of difficulty. But I will say to you, gentlemen of the border States, and you, gentlemen of the Democratic party, that you have it in your power to quiet all this agitation; and I beseech you to come forward and do it. Abandon extreme views; give up the Crittenden and other impossibilities; and let us unite our strength on the New Mexico measure reported from the committee of thirty-three, in the spirit in which it was offered by the distinguished gentleman from Massachusetts, [Mr. ADAMS.] This Territory, except a small portion embraced in Indian treaties, and which cannot be included in any State, is all that remains to the United States south of 36° 30'. The moment we exclude the idea of future acquisition, or "fillibusterism," this New Mexico possession is the sole bone of contention—the only subject of difficulty among the people of the country. I claim that no further "compromise" or concession is necessary in regard to this Territory. We adjusted the whole subject in 1850, after careful and solemn deliberation, and with the approval of the leading statesmen of both sections. This deliberate adjustment was made the law of the land, and remains upon the statute-book to this day. It is as follows:

"*Provided*, That when admitted as a State, the said Territory, [New Mexico,] or any portion of the same, shall be received into the Union with or without slavery, as their constitution may prescribe at the time of their admission."—*United States Statutes at Large, Thirty-First Congress, 1850, page 447.*

Gentlemen of the South, you were parties to the compromise of 1850. Will you execute the contract we then made in good faith, and by the passage of the enabling act, reported by the gentleman from Ohio, [Mr. CORWIN,] permit the people of New Mexico to make their Constitution in their own way? We gave this congressional pledge to the people who went into that Territory. Shall we not redeem the faith of the Government?

Gentlemen of the Republican party, who propose to "execute the laws," cannot refuse to execute the organic law of this Territory. On another occasion they submitted the same question to the people of a Territory, north of 36° 30', and have had no occasion to repent the submission. New Mexico is said to have a population of one hundred and five thousand inhabitants. If we admit it as a State, then this whole question of slavery will be taken from Congress, and the agitation will cease. This measure, then, with such modifications as may be just and reasonable, I am ready to sustain. If they shall not be adopted, in my judgment the best plan would hereafter be, to refer the whole subject to a convention of all the States. The people made this Government, and I know their ability to take care of it.

My own State will stand by the Union to the last. She looks to no other future, and desires none. Moderate in their views, as her people are known to be, deeply anxious as they are to arrange all pending difficulties in the spirit of fraternal affection, yet her lot is cast with the Union. She will assist in upholding and maintaining it to the last of her sons and her treasure. God grant that the Union may be perpetual.



